

St. James, MN

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**WATONWAN COUNTY
Employer**

and

Case 18-WH-21

**WATONWAN COUNTY DISPATCHERS
(INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS – 911 DISPATCHERS
LOCAL #3928)
Petitioner**

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On January 5, 2011, Watonwan County Dispatchers (International Association of Firefighters – 911 Dispatchers Local #3928) filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Sec. 207(b).

On February 4, 2011, the Regional Director served on the parties an Order to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Union is the recognized collective-bargaining representative of the unit employees,¹ the Regional Director recommended to the Board that the requested certification be issued.

¹ The record indicates that on December 29, 1998, the State of Minnesota Bureau of Mediation Services issued a Certification of Exclusive Representative certifying the Union as the exclusive collective-bargaining representative of the employees in the unit. The parties are signatory to a collective-bargaining agreement effective from December 21, 2008 through December 17, 2011.

No party having shown cause why a certification should not be issued, the National Labor Relations Board hereby certifies that Watonwan County Dispatchers (International Association of Firefighters – 911 Dispatchers Local #3928) is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of Watonwan County in the following unit:²

All 911 Public Safety Dispatchers who are employed by Watonwan County, St. James, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory, confidential and all other employees.³

Dated, Washington, D.C., April 4, 2011

By direction of the Board:

Lester A. Heltzer

Executive Secretary

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- ² A certificate of bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).
- ³ The Order to Show Cause referred to an abbreviated description of the bargaining unit. The full unit description, as specified in the Certification of Exclusive Representative and the parties' collective-bargaining agreement, is set out above.